

**MOTION  
EXHIBIT 25**

**FILED UNDER  
SEAL**

## Message

**From:** Scott Sidwell [sasidwell@usfca.edu]  
**on behalf of** Scott Sidwell <sasidwell@usfca.edu> [sasidwell@usfca.edu]  
**Sent:** 5/22/2014 3:31:03 AM  
**To:** Julie Ross [jross5@usfca.edu]; Samantha Hartwell [shartwell@usfca.edu]  
**CC:** Jeremy Howell [howell@usfca.edu]  
**Subject:** Re: Non- renewals

All

I met with Nino today and expressed my concern over the high rate of attrition on baseball roster moving into next season. He agreed that it was a situation that was not the position that we should be in or want to be in going forward. The way it was handled by the baseball staff was addressed as well.

I addressed two players that I had great concern over, [REDACTED] and [REDACTED]. I informed him that I was not going to allow the scholarships of those two student athletes to be pulled with approximately only a year left until they complete their degrees. He accepted this decision and understood the rationale behind it. We were not even going to let this go to appeal because of the lack of rationale beyond just performance. Furthermore, we weren't going to put the students, staff, department and him in a situation that would be severely criticized internally and externally in the media.

Moving forward, Julie please touch base with me in the morning so we can properly inform these two players of their reinstatement of scholarships for the coming academic year. I want to work with you all on setting up the conditions by which these will be renewed. The two mentioned will have to meet requirements academically, socially and service to remain on scholarship. All because they are being renewed doesn't mean they can just not attend class, do poorly academically or have poor conduct and remain on aid. I will seek your input as the parameters we feel are important and warranted as an department to award this aid while no participating on the team.

Thanks for your assistance in this and let's keep aiming higher.

Best

Scott

Sent from my iPhone

On May 21, 2014, at 8:05 AM, Scott Sidwell <[sasidwell@usfca.edu](mailto:sasidwell@usfca.edu)> wrote:

FYI. Meeting with Nino at 3. Not even close to rationale for non renewal of two injured guys.

Discuss further with you all at end of day.

I will loop in Doug on rehab and weight room issues he claims.

Thanks. Scott.

Sent from my iPhone

Begin forwarded message:

**From:** Nino Giarratano <[giarratano@usfca.edu](mailto:giarratano@usfca.edu)>

**Date:** May 20, 2014 at 9:33:55 PM PDT

**To:** Scott Sidwell <[sasidwell@usfca.edu](mailto:sasidwell@usfca.edu)>

**Subject:** Non- renewals

Scott,

Just a follow up from our previous conversation in regards to the process for non-renewal of the following student athletes.

██████████  
We have decided to non-renew his scholarship of ██████████ dollars for not working hard enough in school, conditioning, and practice. ██████████ has not committed himself to competing at the highest level in all areas. He has missed multiple days of strength and conditioning and when he is present his work is below average. We have had five different players in charge of helping ██████████ with time management to get him to strength workouts and practice for the past year. He is not committed to working at the correct effort level in practice or conditioning. He has also struggled to make progress in the classroom and is well below the level of expectation of 3.4 that is set by the athletic department. He is right around a 2.0 and has struggled to maintain that level.

██████████ also has medical issues that will be a risk as a division one athlete.

I have spoke with ██████████ and he has stated to me that he would like to pursue a medical waiver due to health reasons, he is not planning on playing baseball next season.

██████████ has not been renewed for the 2014-15 season due to his inability to pitch and get healthy to pitch for the past two seasons. ██████████ has not been diligent in his work to try and return to the field of play. He is also not maintaining the 3.4 gpa set as a standard by the athletic department.

██████████ - he has not been renewed due to his lack of desire to play at the division one level. ██████████ was injured in the fall(back) and has not been able to pitch due to soreness for at least a month at the conclusion of the 2014 season.

██████████ has decided to not continue to play this summer, and does not have the desire to play next year.

██████████ - has decided to transfer and start fresh at a new school. ██████████ has been in the safe harbor drug program and is in need of professional counseling to help from this point forward.

██████████ has forfeited his scholarship and will continue to pursue his academic and athletic career at USF. ██████████ wanted to play and decided to attend junior college due to expense of the USF education and his playing time. He hopes to return in a year.

If more information is needed we can involve Ben Metzler and Justin Leach to give there side of the interaction with each athlete.

Coach Giarratano

Sent from my iPhone